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CHANGES MADE BY COURT

Signed and Filed: July 1, 2020

DENNIS MONTALI
U.S. Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

| | |
|---|---|
| In re: |) Bankruptcy Case |
| |) No. 19-30088-DM |
| PG&E CORPORATION, |) |
| |) Chapter 11 |
| - and - |) Jointly Administered |
| |) |
| PACIFIC GAS AND ELECTRIC COMPANY, |) ORDER ON THE JOINT |
| |) STATEMENT OF THE TCC, |
| Debtors. |) TRUSTEE, DEBRA GRASSGREEN |
| |) AND KARL KNIGHT, AND ERIC |
| |) AND JULIE CARLSON, JOINED, IN |
| <input type="checkbox"/> Affects PG&E Corporation |) PART, BY MARY WALLACE, |
| <input type="checkbox"/> Affects Pacific Gas and Electric Company |) REGARDING UNRESOLVED |
| <input checked="" type="checkbox"/> Affects both Debtors |) OBJECTIONS TO THE FIRE |
| |) VICTIM CLAIMS RESOLUTION |
| * All papers shall be filed in the Lead Case, No. 19-30088 (DM). |) PROCEDURES |
| |) |
| |) [Relates to Docket Nos. 8074, 8080 and |
| |) 8196] |

The Debtors having filed the *Ninth Supplement to Plan Supplement in Connection with Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization* [Docket No. 8057], which contains as Exhibit A the PG&E Fire Victim Trust Agreement (with all Exhibits

1 thereto, including the Fire Victim Claims Resolution Procedures (the “**CRP**”)), which amends
2 and supersedes Exhibit D to the Plan Supplement filed May 1, 2020 [Docket No. 7037]; and
3 upon the *Joint Statement of the TCC, Trustee, Debra Grassgreen and Karl Knight, and Eric*
4 *and Julie Carlson Regarding Unresolved Objections to the Fire Victim Claims Resolution*
5 *Procedures* [Docket No. 8074] (the “**Joint Statement**”); and the Court having considered the
6 statements of the parties at the hearing held on the Joint Statement on June 24, 2020; and for the
7 reasons stated on the record at the hearing,

8 IT IS HEREBY ORDERED THAT:

9 1. The CRP is hereby amended in the limited manner set forth hereinto address the issues
10 raised in the Joint Statement. With the exception of paragraphs 6 and 7 below, which apply to
11 all Claims to be paid by the Trust, nothing in this Order shall apply to anyone other than the
12 Individual Eligible Claimants (as defined below).

13 2. Upon fully exhausting the dispute resolution process set forth in Section VIII of the
14 CRP, any of Debra Grassgreen and Karl Knight (and their minor child), Eric and Julie Carlson
15 and Mary Kim Wallace (each of the foregoing Claimants, an “**Individual Eligible Claimant**”)
16 may reject the Trustee Determination¹ awarded.

17 3. Within thirty (30) days from the date on which an Individual Eligible Claimant receives
18 his or her Trustee Determination (the “**Individual Election Deadline**”) with respect to a Claim,
19 such Individual Eligible Claimant must notify the Trust of his or her intent to seek a Judicial
20 Determination by submitting a written notice to the Trustee (an “**Individual Election Notice**”)
21 and filing a copy of such Individual Election Notice with the Bankruptcy Court. Upon
22 submitting an Individual Election Notice to the Trustee and filing a copy with the Bankruptcy
23 Court, an Individual Eligible Claimant may elect review of his or her Claim in the Bankruptcy
24 Court, the District Court for the Northern District of California, or in the court where such claim
25 was pending or could have been pending prior to the Petition Date (the “**Court of Review**”).
26 For the avoidance of doubt, the Individual Eligible Claimants shall not be required to wait until
27 the end of the Initial Review Period to seek a Final Judicial Determination.

28

¹ Capitalized terms used but not otherwise defined in this Order shall have the meanings given to them
in the CRP.

1 4. Section IX.B.5 of the CRP regarding the consolidation of judicial determinations shall
2 not apply to the Individual Eligible Claimants.

3 5. Individual Eligible Claimants who fail to submit and file an Individual Election Notice
4 by the Individual Election Deadline shall be deemed to accept the Trustee Determination of
5 such Claim, and such Trustee Determination shall become a Final Determination that is final,
6 binding, non-appealable and not subject to review by any Court.

7 6. Interest awarded on any Final Judicial Determination with respect to any Eligible
8 Claimant, including any Individual Eligible Claimant, shall be payable by the Trust to the same
9 extent that interest awarded on account of any Claim within the CRP is paid. If the Trust does
10 not pay interest on account of Claims within the CRP, then interest on account of any Judicial
11 Determination shall not be payable by the Trust.

12 7. Any award of punitive or exemplary damages with respect to any Claim seeking
13 payment by the Trust, whether such award is made by the Trustee or by any court, shall be
14 subordinate and junior in right to the prior payment in full of all non-punitive and non-
15 exemplary damage awards reflected in Final Determinations and Final Judicial Determinations
16 as provided in the CRP.

17 8. Except as expressly set forth above, the CRP shall apply to the Individual Eligible
18 Claimants in all respects.

19 9. In the event of any conflict between this Order and the CRP, this Order shall control.

20 10. The Court retains exclusive jurisdiction with respect to all matters arising from or
21 related to the implementation of this Order.

22 11. The court has considered and rejects other amendments proposed by Mary Wallace.
23 The award of interest and of punitive damages are part of the treatment of claims, not part of the
24 determination of particular claims. All claims of fire victims, whether or not subject to judicial
25 review, must be treated alike in this regard. The additional reference to "California State
26 Court" or similar phrase is redundant.

27 **END OF ORDER**
28

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